

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

GUARANTY RESIDENTIAL LENDING, INC.,  
a Nevada corporation, and  
ASSURAFIRST FINANCIAL COMPANY,  
a Michigan Corporation  
d/b/a HOMESTEAD USA and HOMESTEAD MORTGAGE

Civil Action No. 04-74842  
Honorable Paul D. Borman

Plaintiffs, Counter-Defendants, Cross-Plaintiffs

v.

HOMESTEAD MORTGAGE COMPANY, L.L.C.,  
a Michigan limited liability company.

Defendant, Counter-Plaintiff, and

BOB FITZNER d/b/a HOMESTEAD MORTGAGE CO.,  
an Individual

Counter-Plaintiff, Cross-Defendant

---

DOBRUSIN & THENNISCH, P.C.  
Hattem A. Beydoun (P66071)  
Jeffrey P. Thennisch (P51499)  
Attorneys for Plaintiffs,  
Counter-Defendants/Cross-Plaintiffs  
29 W. Lawrence Street, Suite 210  
Pontiac, Michigan 48342  
(248) 292-2920 / (248) 292-2910 (Fax)

HOWARD & HOWARD ATTORNEYS PC  
Jeffrey A. Sadowski (P28163)  
Julia K. Sutherland (P68450)  
Attorneys for Defendant,  
Counter-Plaintiffs/ Cross-Defendant  
39400 Woodward Ave., Suite 101  
Bloomfield Hills, Michigan 48304-5151  
(248) 645-1483 / (248) 645-1568 (Fax)

---

**ORDER GRANTING VOLUNTARY DISMISSAL UNDER FED.R.CIV.P. 41(a)(1)(i)**

After reviewing Cross-Plaintiffs, Guaranty Residential Lending, Inc. and AssuraFirst Financial Company's, Motion for Voluntary Dismissal of the July 25, 2005 cross-claims filed against Cross-Defendant Bob Fitzner set forth at Docket Entry 38, the Court finds that it is in compliance with Fed.R.Civ.P. 41(a)(1)(i) and the local rules of the United States District Court for the Eastern District of Michigan. Accordingly the Motion is hereby granted and the July 25, 2005 cross-claims against Cross-Defendant Fitzner are hereby dismissed without prejudice.

IT IS SO ORDERED:

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: May 15, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on May 15, 2007.

s/Denise Goodine  
Case Manager